

**REQUEST FOR
ACTION BY:****TOWN OF CLARENCE, N.Y.**

- ☒ Appeal Board
☐ Planning Board
☐ Town Board

- ☒ Appeal
☐ Rezone
☐ Revise Ordinance
☐ Subdivision
☐ Limited Use Permit
☐ Other

Rec'd. by: Planning and ZoningDate September 6, 2017

Action Desired Applicant requests a variance of 3' to allow a 9.5'
side yard setback for an addition to the principle structure located
at 8260 Clarherst Drive in the Residential Single-Family zone.

Reason Town Code Reference:
§229-52 (B)

PLEASE PRINT

Name	Joseph/Patricia Vitthuhn		
Address	8260 Clarherst Drive		
	East Amherst	NY	14051
Town/City		State	Zip
Phone	716-741-3598		
Signed	SIGNATURE ON FILE		

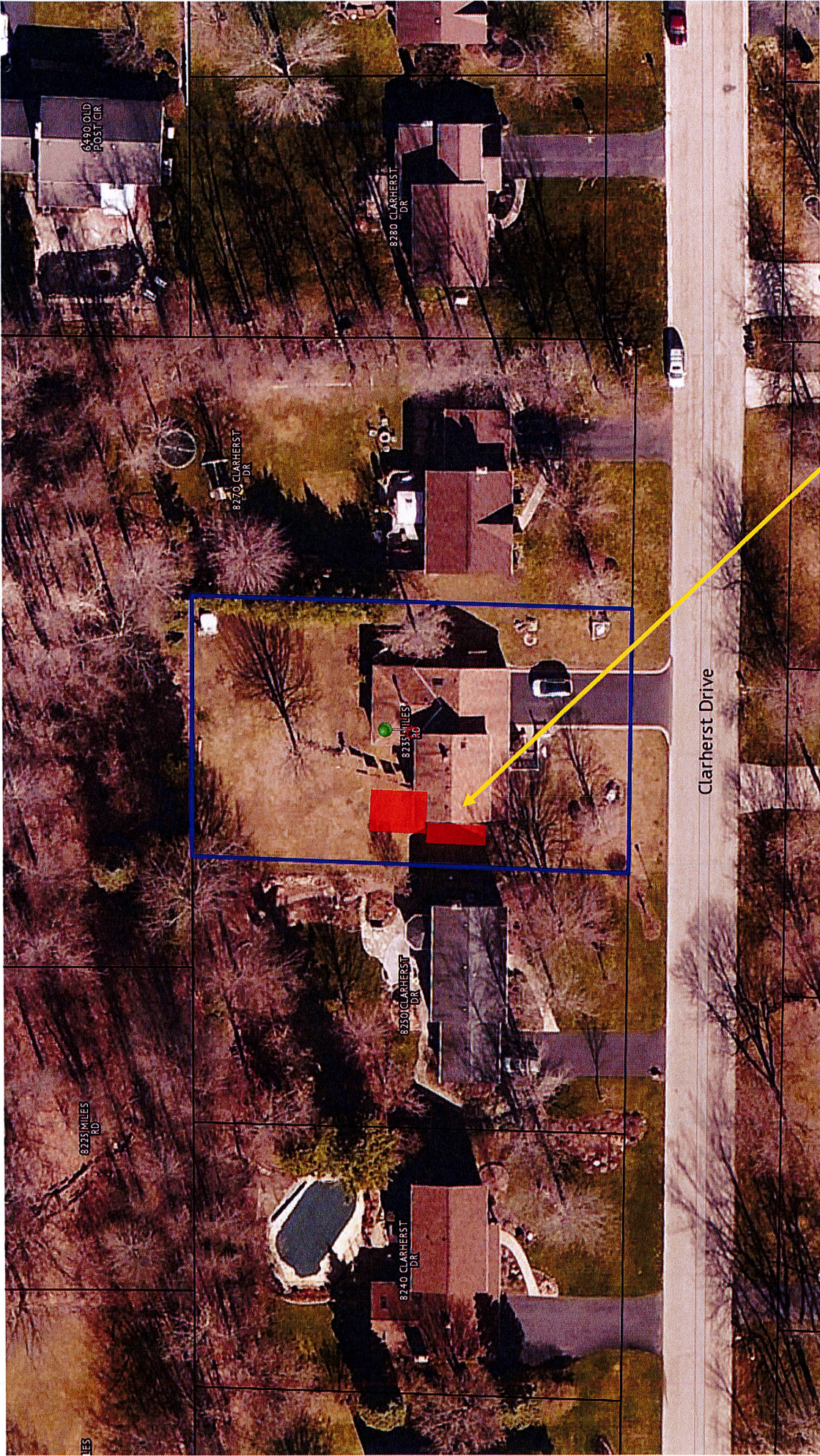
Requests for action on zoning should be filled out completely in above spaces if practicable; otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filed with the Secretary of the Planning Board. Requests (except appeals) may be filed with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time.

Initial Action

Approved ☐ _____ on _____ 20 _____
Rejected ☐ by _____ on _____ 20 _____
Approved ☐ _____ on _____ 20 _____
Rejected ☐ by _____ on _____ 20 _____
Published (Attach Clipping) _____ on _____ 20 _____
Hearing Held by _____ on _____ 20 _____

Final Action Taken

Approved ☐ _____ on _____ 20 _____
Rejected ☐ by _____ on _____ 20 _____
Published (Attach Clipping) _____ on _____ 20 _____
Filed with Town Clerk _____ on _____ 20 _____
Filed with County Clerk _____ on _____ 20 _____



* note the parcel lines displayed are approximate

8260 Clarherst Drive



Proposed 9.5' side yard setback for addition to principle structure
(12.5' side yard setback required)

SEPTEMBER 5, 2017

TOWN OF CLARENCE
ZONING BOARD OF APPEALS
ONE TOWN PLACE
CLARENCE, NEW YORK 14031

DEAR BOARD MEMBERS,

MY WIFE PATRICIA AND I HAVE BEEN CLARENCE TOWN RESIDENTS FOR THE PAST THIRTY (30) PLUS YEARS LIVING AT OUR CURRENT ADDRESS (8260 CLARHERST DRIVE). PAT GREW UP LIVING ON WESTPHAILINGER ROAD AND ATTENDED CLARENCE SCHOOLS. WE VERY MUCH LIKE LIVING IN THE TOWN OF CLARENCE WITH ALL OF THE AMENITIES THAT THE TOWN HAS TO OFFER INCLUDING OUR CLOSE PROXIMITY TO SHOPPING, DINING AND ENTERTAINMENT VENUES, WALKING / BIKING PATHS AS WELL AS OUR PLACE OF WORSHIP - SAINT MARY'S CHURCH IN NEAR-BY SWORMVILLE. WE ALSO ENJOY THE COMPANY OF OUR NEIGHBORS WITH WHOM WE HAVE BECOME WELL ACQUAINTED OVER THE YEARS.

PAT AND I ARE NOW IN OUR MID AND LATE SIXTIES RESPECTIVELY AND WE HAVE DECIDED, AFTER STUDYING ALL THE OPTIONS AVAILABLE TO US FOR RETIREMENT LIVING, THAT AGING IN OUR CURRENT HOME IS OUR BEST CHOICE WITH SPECIAL CONSIDERATION TO ALL THE REASONS MENTIONED ABOVE. ALSO MY FIRST COUSIN RECENTLY SUFFERED A STROKE WHICH LEFT HIM PARALYZED ON HIS LEFT SIDE REQUIRING HE AND HIS WIFE TO MAKE MAJOR ALTERATIONS TO THEIR HOME TO MAKE IT HANDICAP ACCESSIBLE. PAT, WHO IS A RETIRED NURSE, IS SOMEHOW CONVINCED THAT I MAY SUFFER THE SAME FATE AS MY COUSIN. I PRAY THAT THIS WILL NOT BE THE CASE, HOWEVER IT DID GIVE PAT AND I REASON TO TAKE PAUSE AND DO SOME THINKING AND ASSESSING OF WHAT FUTURE NEEDS AND LIVING CONDITIONS WE MAY ENCOUNTER CONSIDERING OUR AGE AND THE CURRENT LAYOUT OF OUR HOUSE.

CURRENTLY OUR HOME HAS ALL OF THE BEDROOMS ON THE SECOND FLOOR. WE FORESEE THAT PUTTING A MASTER BEDROOM AND BATHROOM ON THE FIRST FLOOR WOULD BE OUR MAIN REQUIREMENT FOR AGING IN PLACE. THIS SOLUTION WOULD EXCLUDE US FROM THE DAILY NEED TO ASCEND AND DESCEND STAIRS IN OUR ELDERLY YEARS. WE REALIZED THAT, TO DO SO, WOULD REQUIRE US TO BUILD AN ADDITION TO OUR HOME AND IN SO DOING WE WOULD MAKE THE ADDITION HANDICAP ACCESSIBLE.

WE CONSULTED WITH AN ARCHITECT AND AFTER COLLABORATING WITH HER SHE HAS DEVISED A PLAN THAT WE FEEL WOULD MEET OUR CURRENT AND FUTURE NEEDS AND REQUIREMENTS. HOWEVER, WE DISCOVERED OUR PLAN WOULD REQUIRE THAT THE NEW STRUCTURE WOULD BE NINE (9) AND ONE HALF (1/2) FEET FROM THE WESTERLY LOT LINE OF OUR PROPERTY TOO THE FOUNDATION WALL OF THE ADDITION AS DEPICTED ON THE ATTACHED PLOT PLAN. WE HAVE BEEN INFORMED AND IT IS OUR UNDERSTANDING THAT A TOWN ORDINANCE REQUIRES A DISTANCE OF TWELVE (12) AND ONE HALF (1/2) FEET FROM THE LOT LINE TOO THE FOUNDATION WALL. IT IS FOR THIS REASON THAT **WE ARE SEEKING A VARIANCE OF THREE (3) FEET TO THE TOWN ORDINANCE** WITH REGARDS TO THE DISTANCE FROM LOT LINE TOO FOUNDATION WALL.

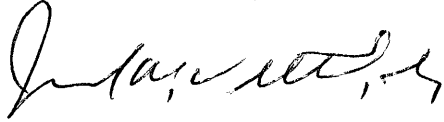
IN ADDITION TO THE PLOT PLAN DRAWING, WE HAVE INCLUDED WITH THIS VARIANCE REQUEST A PROPERTY SURVEY, PRELIMINARY ARCHITECTURAL DRAWINGS OF OUR PROPOSED PLAN SHOWING FRONT, SIDE AND REAR ELEVATIONS AS WELL AS THE EXISTING

AND PROPOSED PRELIMINARY FLOOR PLAN DRAWING FOR THE ADDITION, FOR YOUR REVIEW.

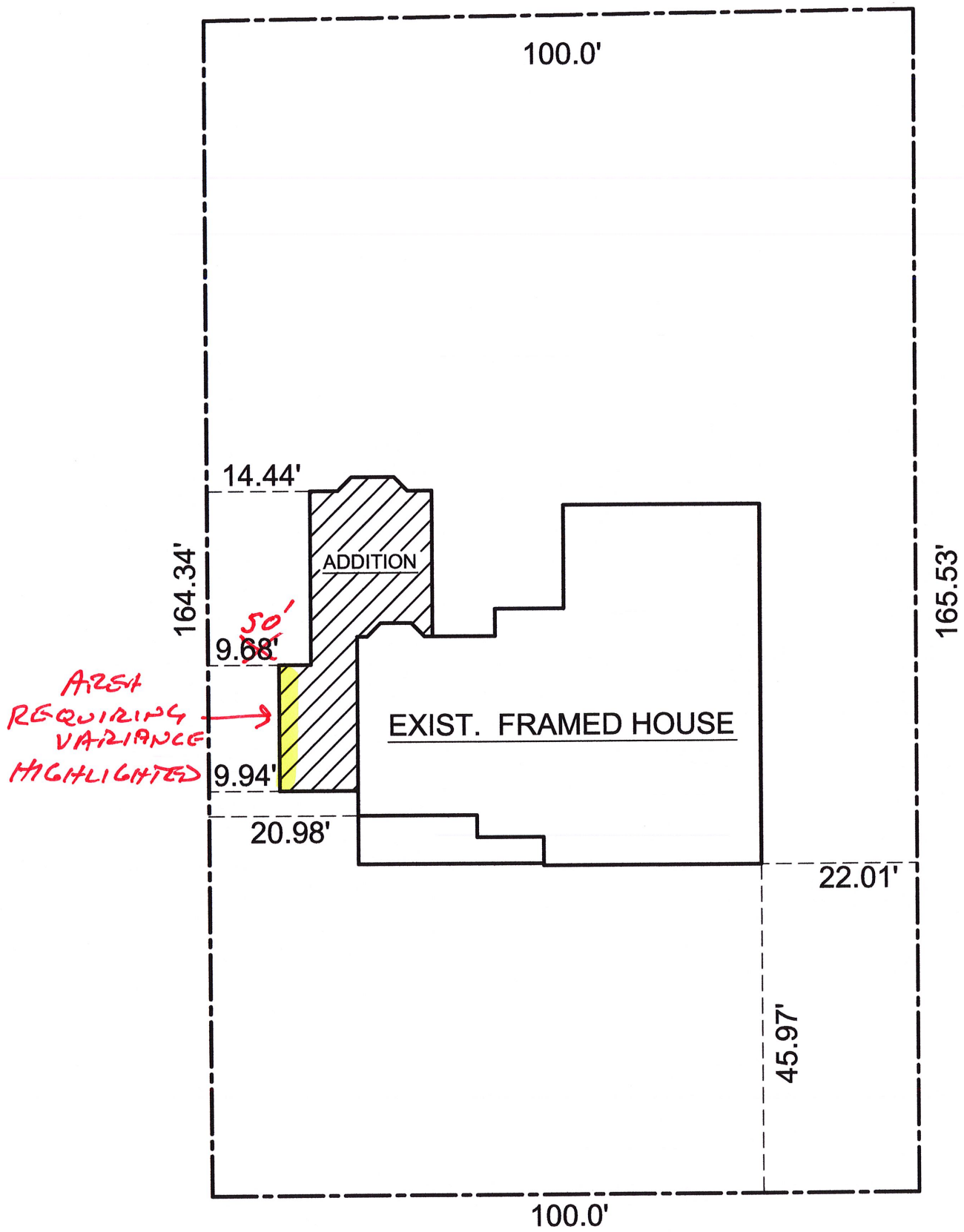
WE HAVE NOTIFIED OUR ADJOINING PROPERTY NEIGHBORS, THE OSIEWICZ'S AT 8250 CLARHERST DRIVE AND THE LOVALLO'S AT 8270 CLARHERST DRIVE OF OUR PROPOSAL. (THE LOVALLO'S OWN THE VACANT PROPERTY BEHIND OUR PROPERTY.) BOTH PARTIES ARE SUPPORTIVE OF OUR PLANS. (SEE THE ATTACHED NEIGHBOR NOTIFICATION FORMS.)

IN CLOSING, WE TRUST THAT THE BOARD WILL LOOK FAVORABLY UPON OUR REQUEST FOR THE VARIANCE AND GRANT US PERMISSION TO MOVE FORWARD WITH OUR PROJECT PROPOSAL.

SINCERELY YOURS,

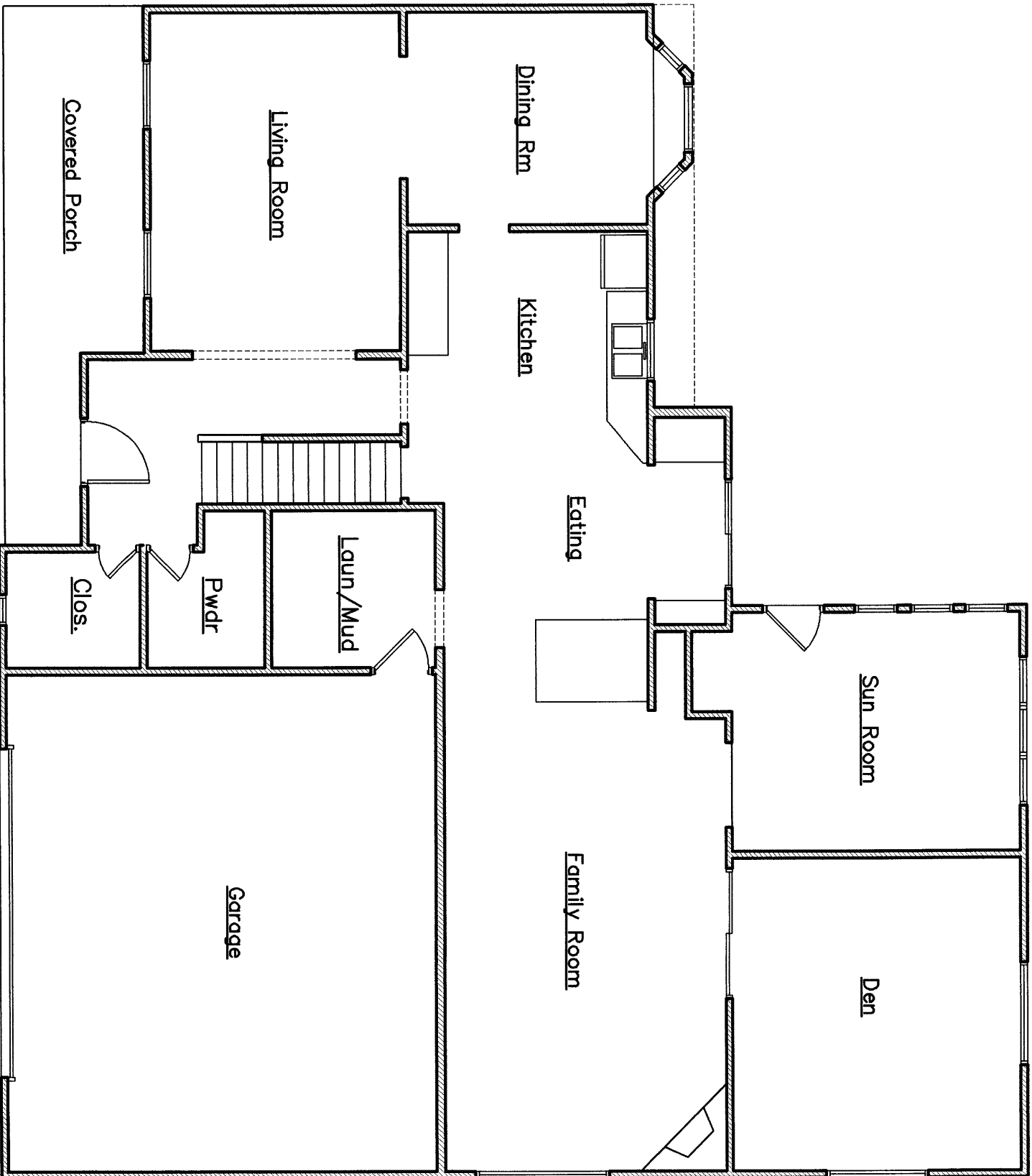
A handwritten signature in black ink, appearing to read "J. Vitthuhn, Sr.", with a stylized, cursive script.

JOSEPH W. VITTHUHN, SR.



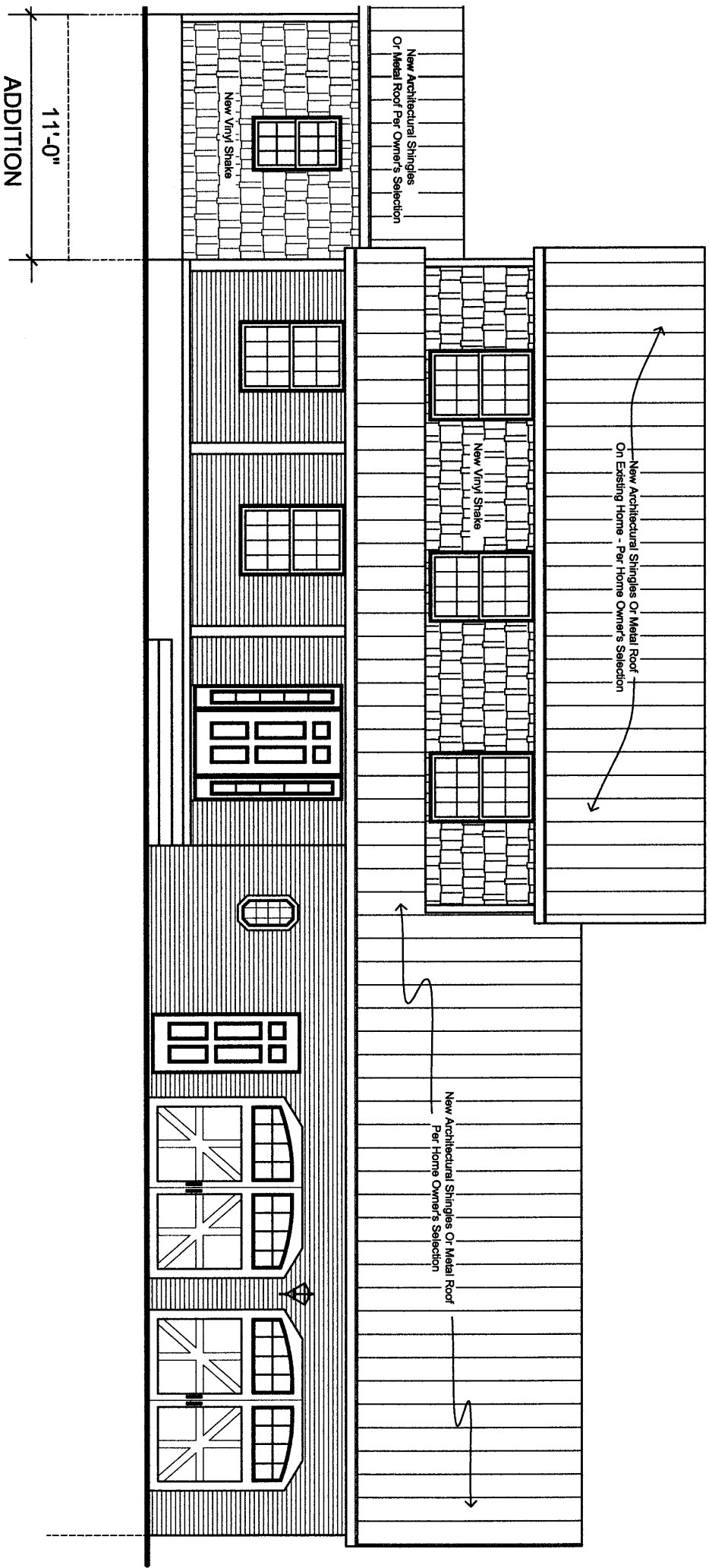
1 8260 Clarherst Drive

1" = 20'



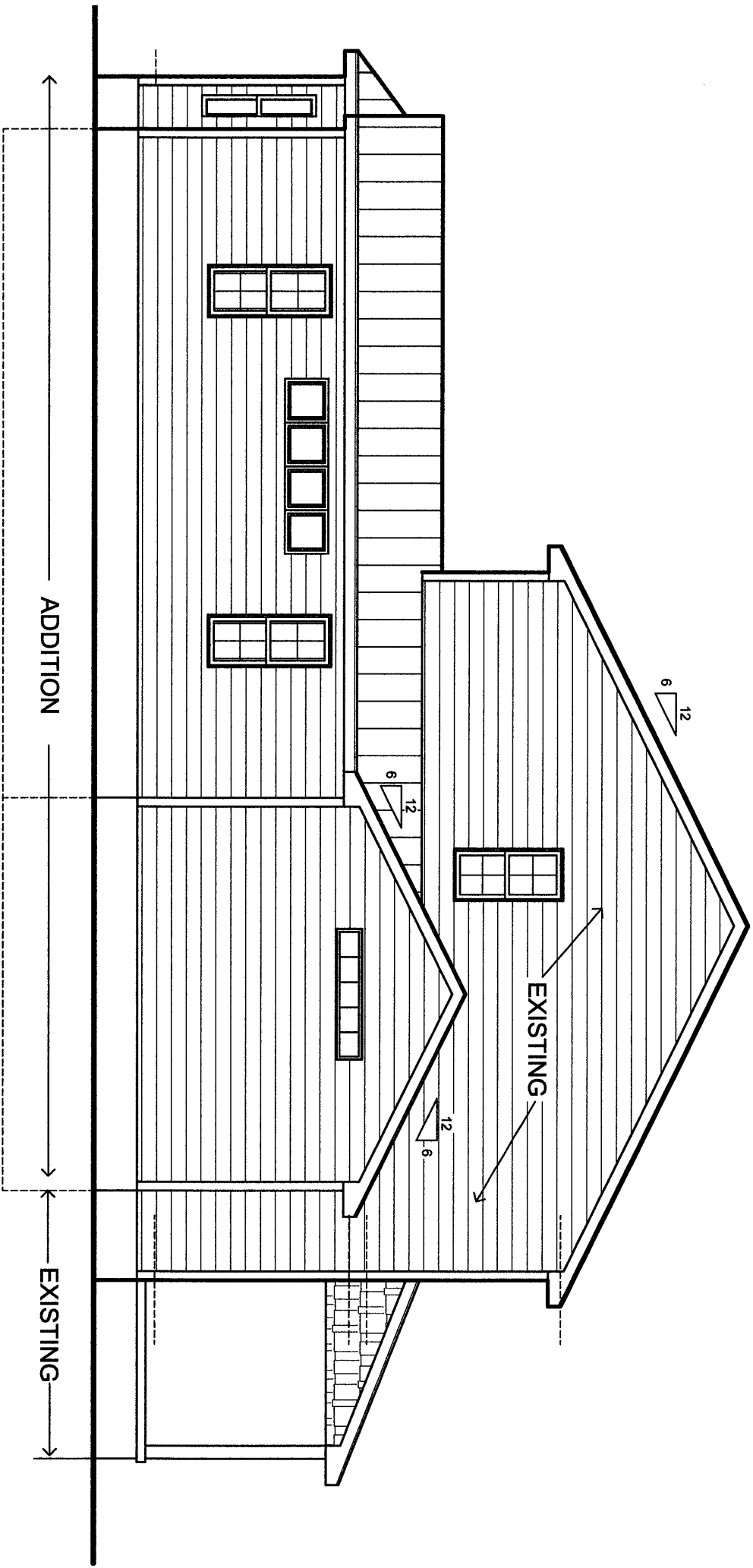
1 Withuhn - EXISTING PLAN

3/16" = 1'-0"

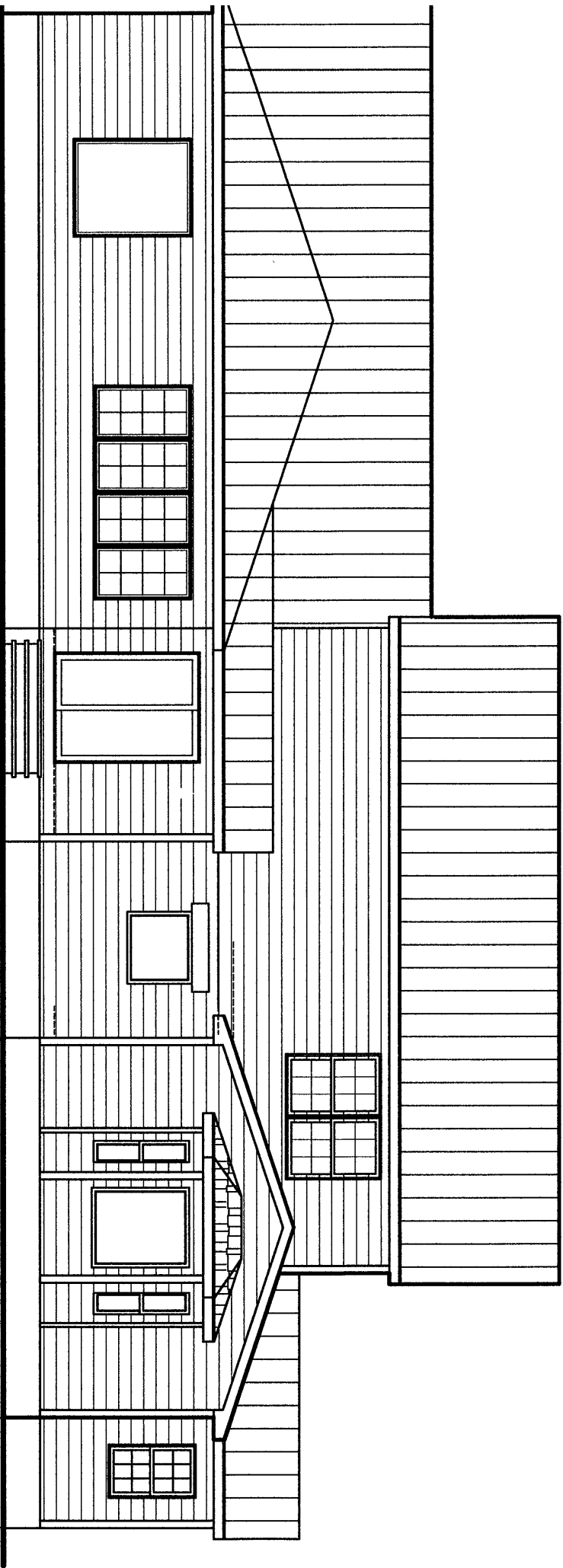


1
NTS

Vitthuhn - Front Elevation



1 Vittuhhn - Left Side Elevation
NTS

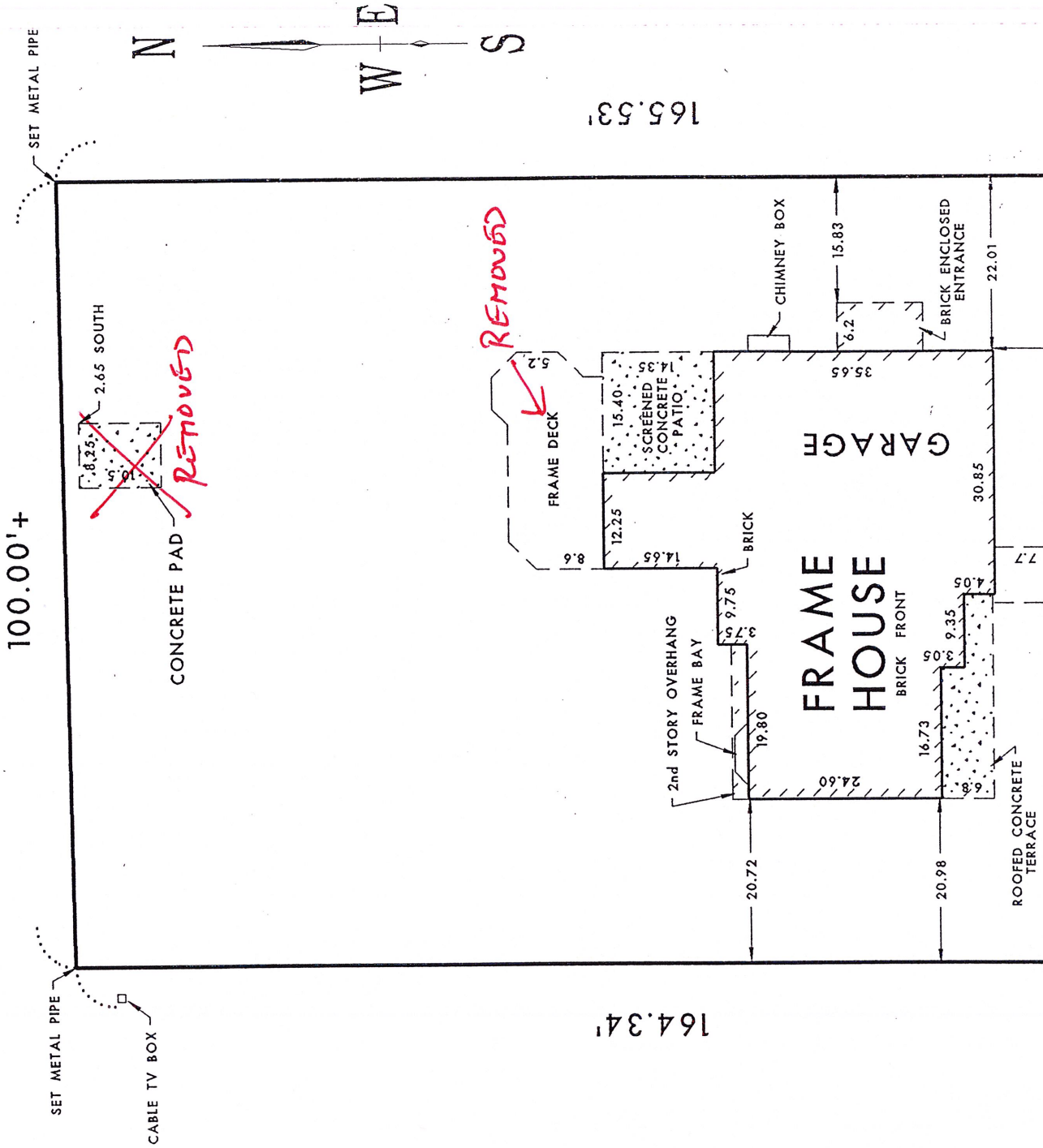


17'-2" ADDITION

5'-0" ADDITION

1 Vitthuhn - Back Elevation
NTS

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT FULL SEARCH OR ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACT THAT MAY BE REVEALED BY AN EXAMINATION OF SAME



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Rec'd. by: Jonathan Bleuer

Date September 26, 2017

Action Desired Applicant requests a variance of 1,396 sqft to allow for a 2,356 sqft attached garage, carport and porch addition located at 4884 Pineledge Drive West in the Residential Single-Family zone.

Reason Town Code Reference:
§229-55 (D)

PLEASE PRINT

Name	George Weckerle		
Address	4884 Pineledge Drive West		
	Clarence	NY	14031
Town/City		State	Zip
Phone	716-407-3323		
Signed	SIGNATURE ON FILE		

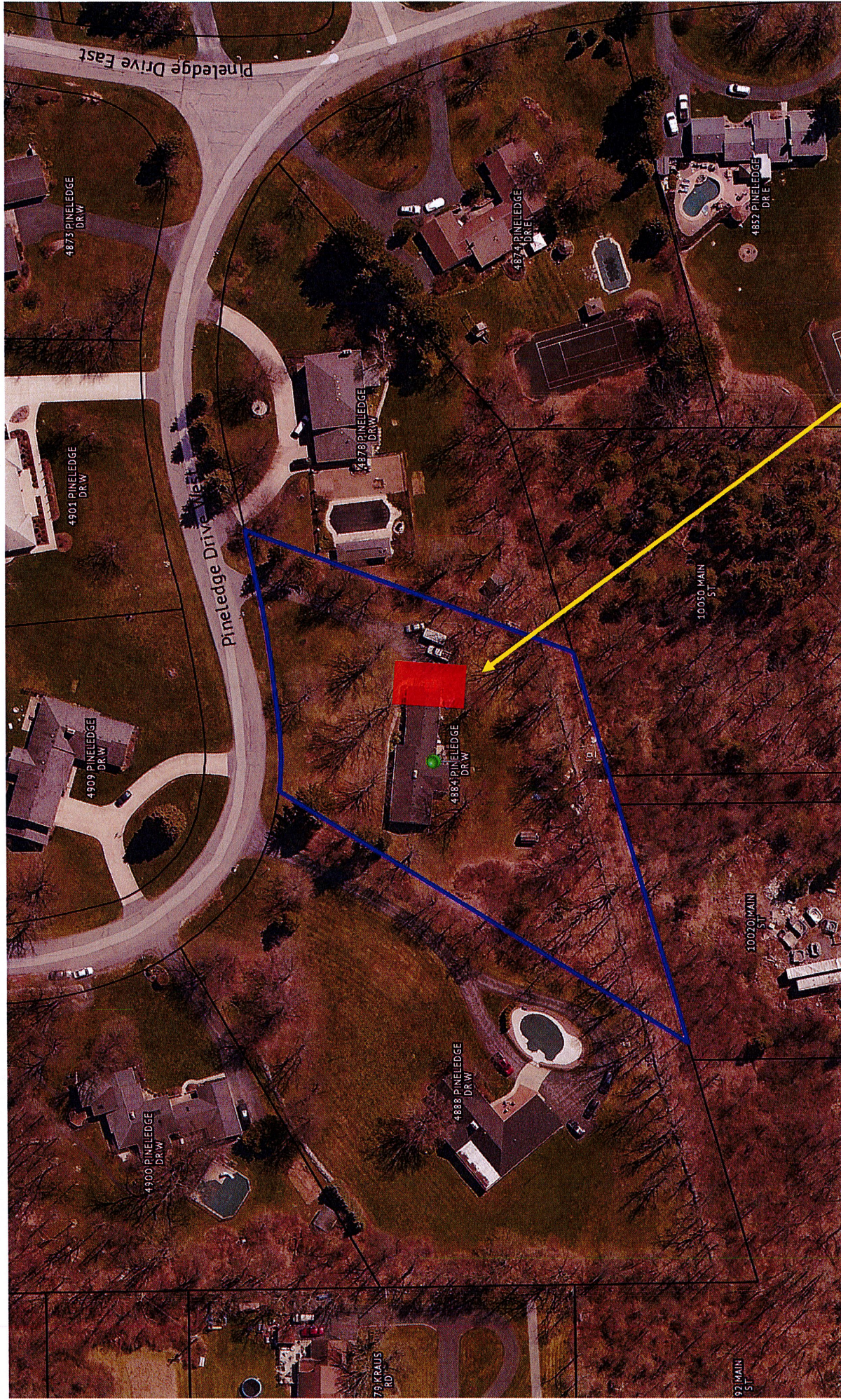
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 Hearing Held by on 20

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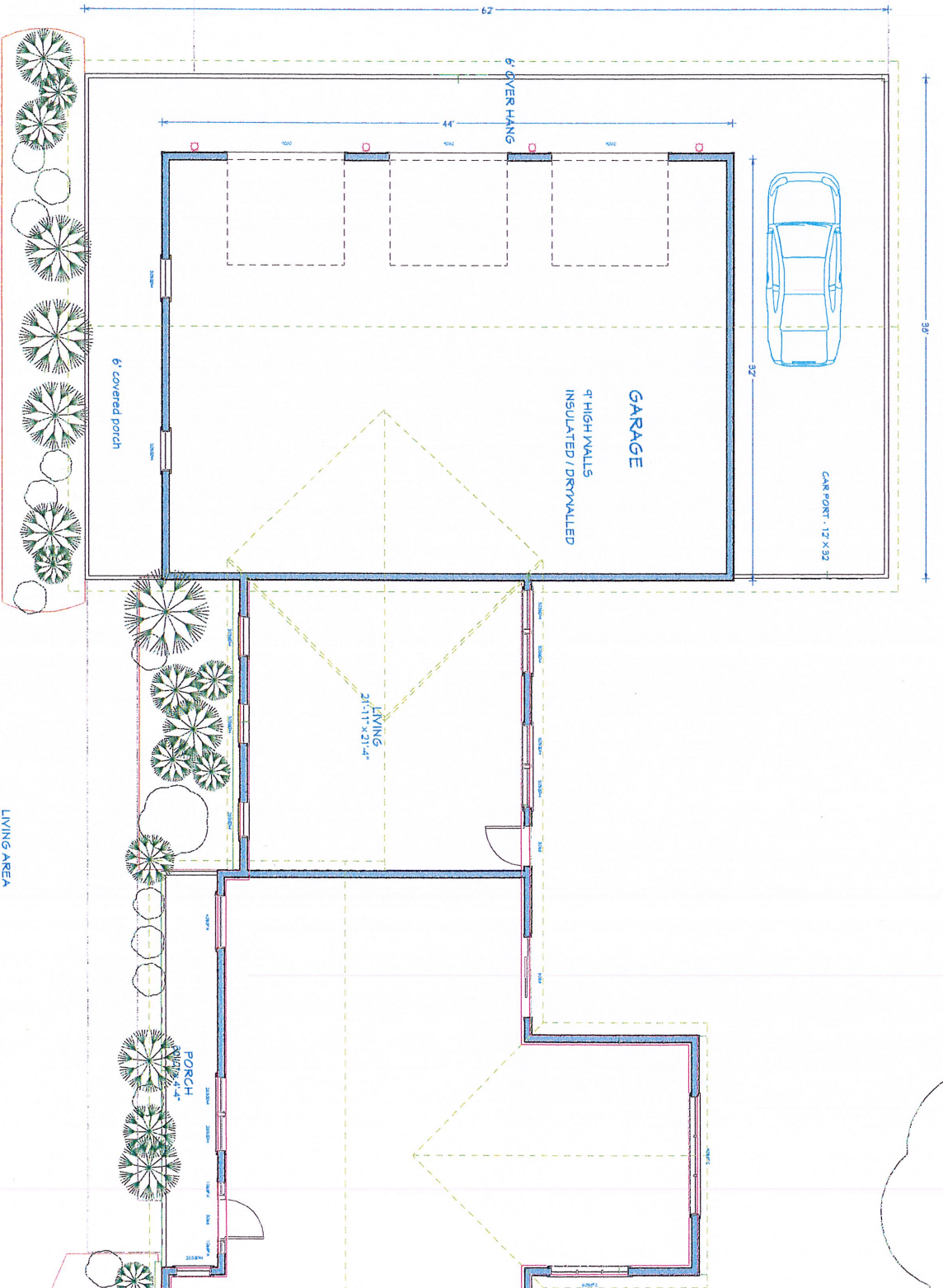
4884 Pineledge Drive West

2,356 sqft attached garage, carport and porch proposed to replace
existing garage



Reasons for variance:

- 1) To provide neat and clean look from street view:
 - a) three cars to fit in garage
 - b) trailer to park in carport behind garage
 - c) additional storage space
- 2) To provide safe access to enter the house, especially in the winter:
 - a) widen the covered walkway to the driveway
 - b) three cars parked inside garage
- 3) To reduce vehicle emissions during the winter:
 - a) three cars parked inside garage



4824 PINELEDGE RD WEST

**REQUEST FOR
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☐ Other

Rec'd. by: Jonathan Bleuer

Date September 26, 2017

Action Desired Applicant requests a variance of 280 sqft to allow a 480 sqft secondary detached garage located at 4910 Thompson Road in the Residential Single-Family zone.

Reason Town Code Reference:
§229-55 (H)

PLEASE PRINT

Name	David/Annette Pecenco		
Address	4910 Thompson Road		
	Clarence	NY	14031
Town/City	State	Zip	
Phone			
Signed	SIGNATURE ON FILE		

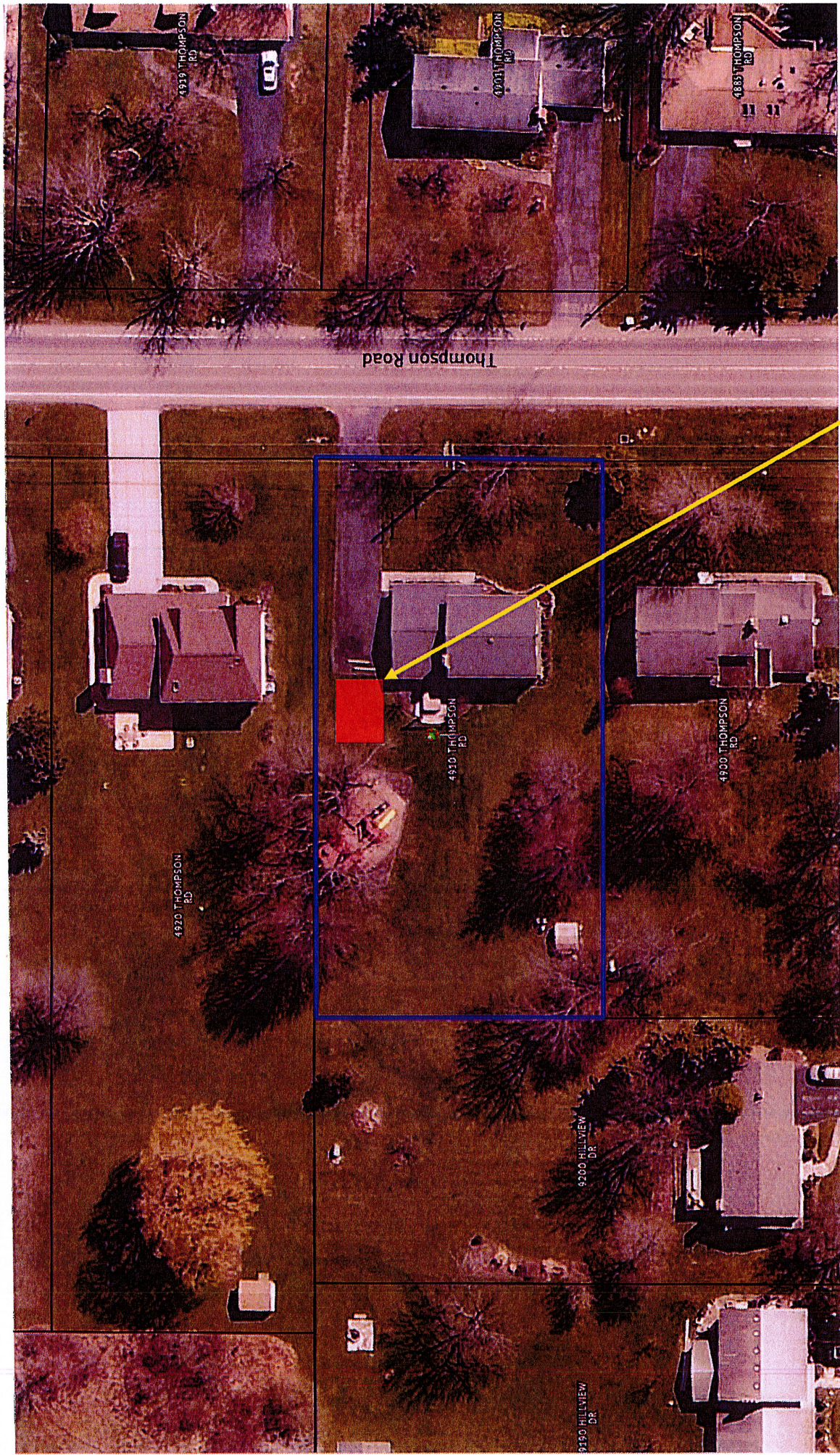
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Final Action Taken

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Published (Attach Clipping) on 20
Filed with Town Clerk on 20
Filed with County Clerk on 20



* note the parcel lines displayed are approximate

4910 Thompson Road



Proposed 480 sqft secondary detached garage

September 26, 2017

To whom it may concern:

We are looking to build an additional, detached, 2-car garage on our property at 4910 Thompson Rd.

Reasons for looking to build the structure as proposed:

- Storage: We recently were forced to remove a free-standing shed structure at the back of our property due to its structural instability and lack of usable space. The current, attached garage is now half-filled with the items from the garage that we are looking to move out. This includes items like a riding lawn mower, snow blower, lawn furniture, etc.
- The current, attached garage is what we would consider to be small by modern standards. One side of the garage opening does not offer any room to open a car door. The depth is less than 22' deep. With a 17' minivan in addition to any sort of shelves/shoes/etc, it does not allow for safe movement around the vehicles. The additional structure would allow us to move tools and storage into the back of the new garage while still leaving room for vehicles.
- Within a handful of years our family will have 4 drivers and it is desired to keep vehicles parked indoors as much as possible.
- We are looking to obtain a secondary, recreational car with the goal of keeping it (and our primary vehicles) indoors as much as possible and not as an eyesore in the driveway on a constant basis.

The structure itself will be built to match the look and character of the nearby residence and garage as much as possible with items like:

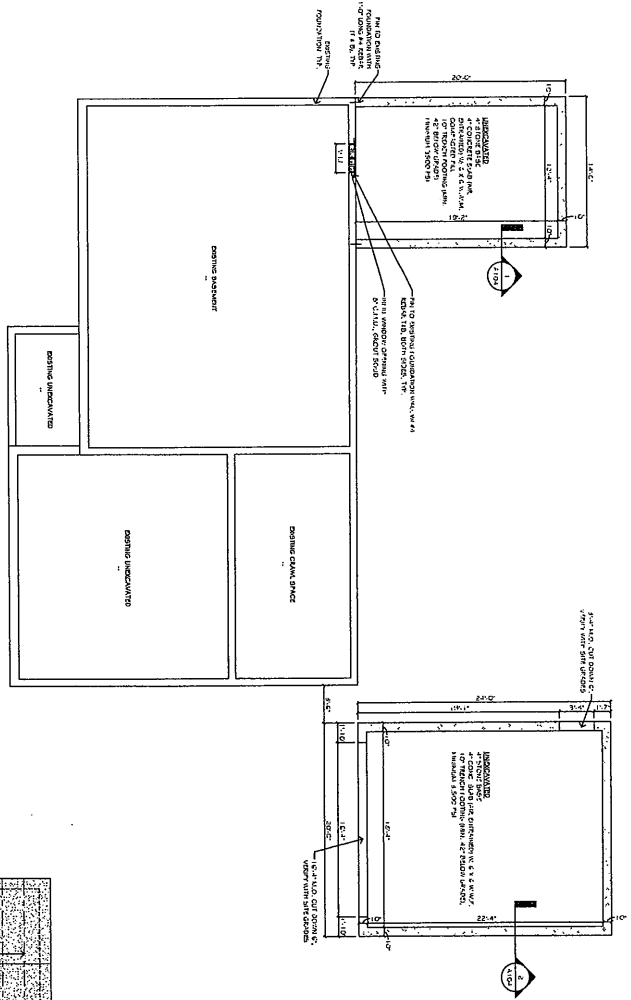
- Matching garage doors
- Matching siding
- Similar Roof lines

It is suggested to put the garage in its proposed location as it will allow for:

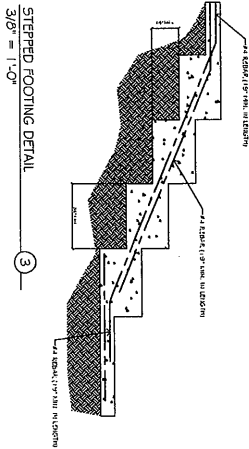
- The best visual from the road.
- The most room in the driveway for reversing out of garage.
- The most usable space on the current driveway for additional parking in circumstances of parties/events.

Thank you,

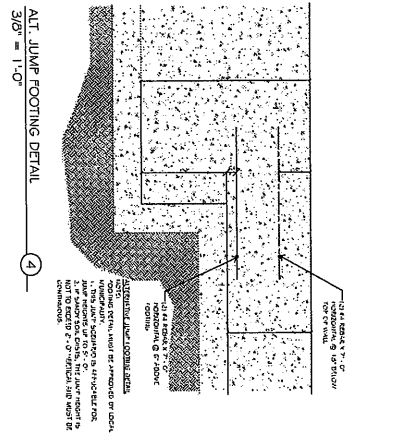
David and Annette Pecenco



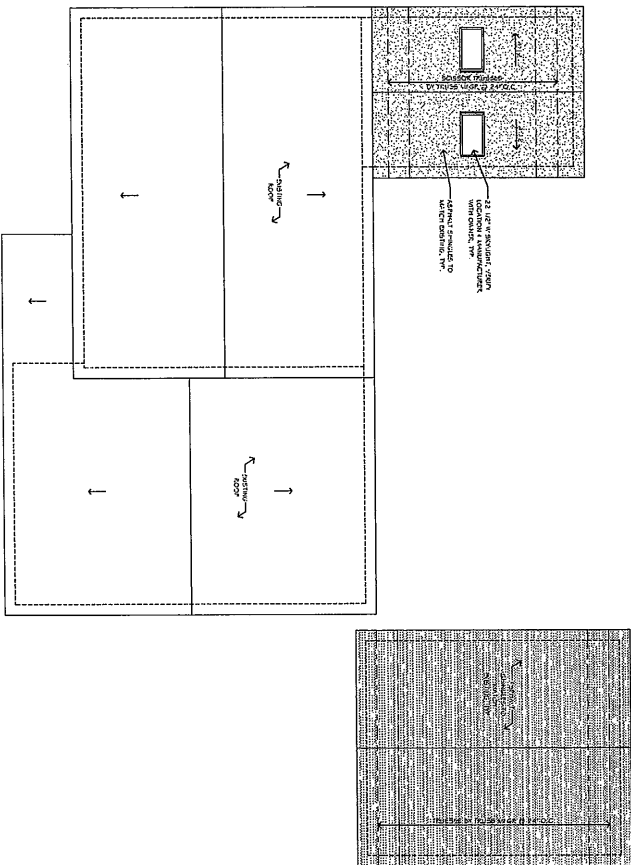
FOUNDATION PLAN
3/16" = 1'-0"



STEPPED FOOTING DETAIL
3/8" = 1'-0"



ALT. JUMP FOOTING DETAIL
3/8" = 1'-0"



ROOF PLAN
3/16" = 1'-0"

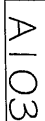
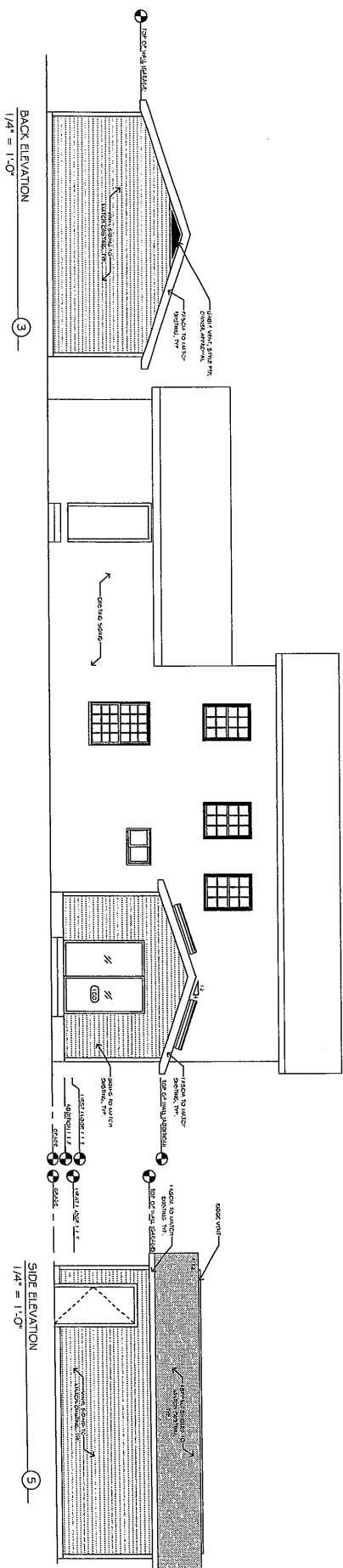
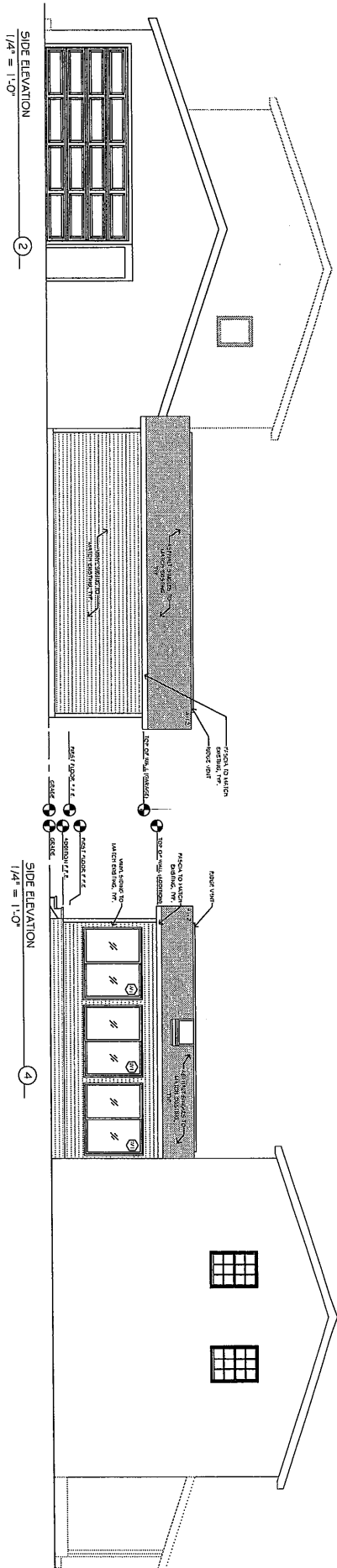
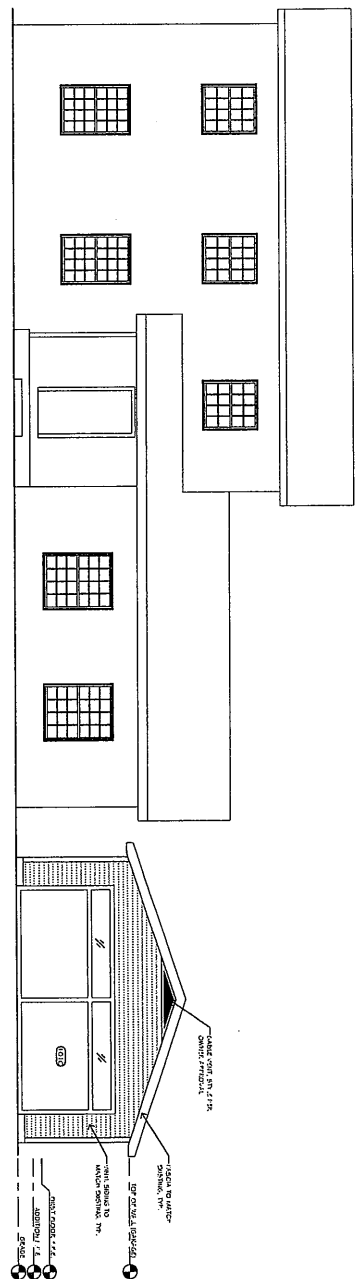
A102

FOUNDATION &
ROOF PLANS

PECENCO RESIDENCE
4910 THOMPSON RD
CLARENCE, NY 14031

armitage
architecture

441 DELAWARE AVE. • BUFFALO, NY 14202
www.armitagearchitect.com
716-525-2751

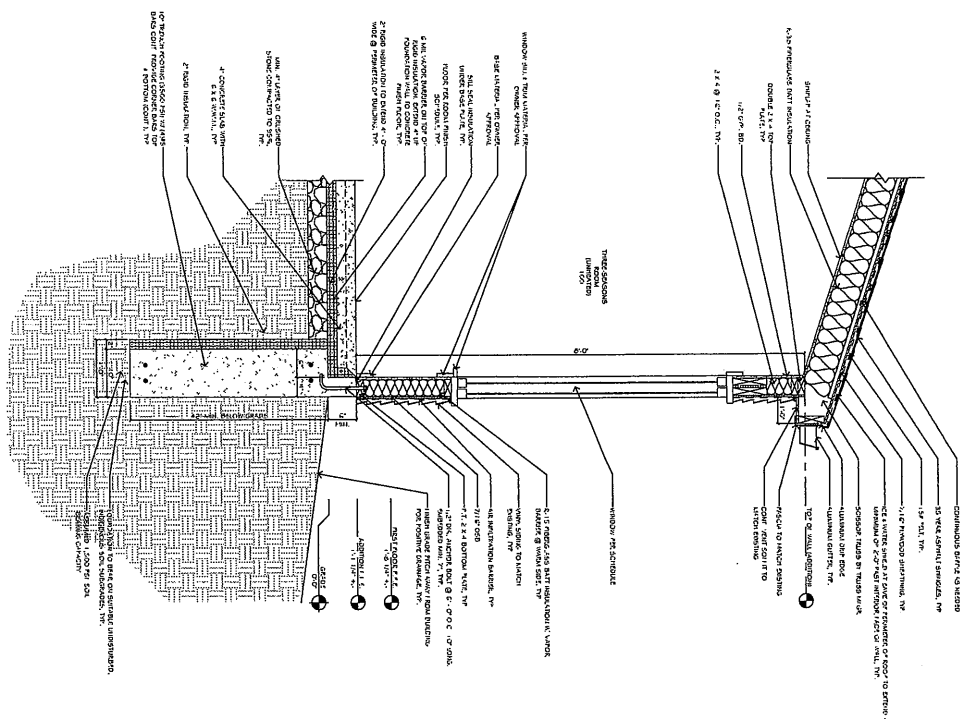


ELEVATIONS

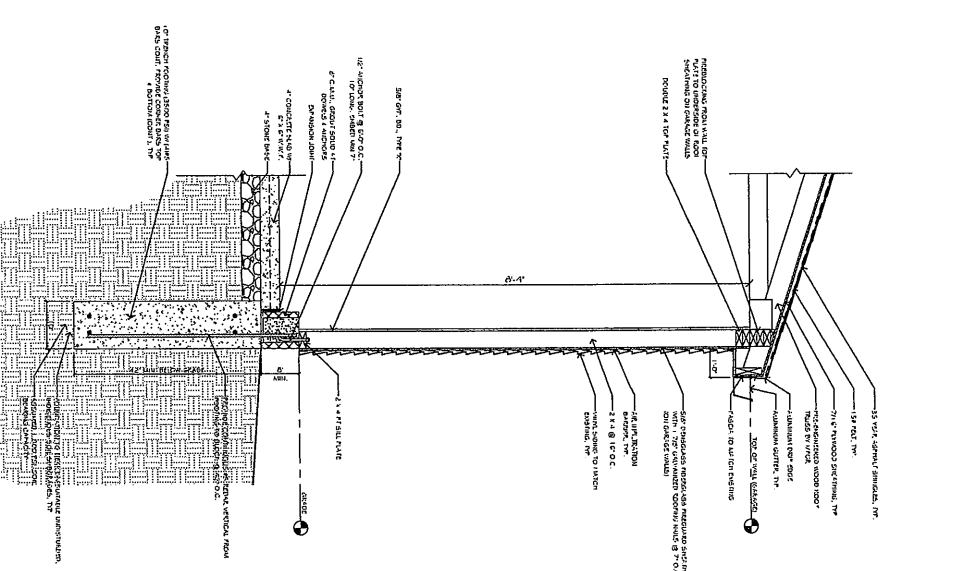
PECENCO RESIDENCE
4910 THOMPSON RD
CLARENCE, NY 14031



443 DELAWARE AVE. - BUFFALO, NY 14202
www.smithsearchtechnics.com
716-525-2754



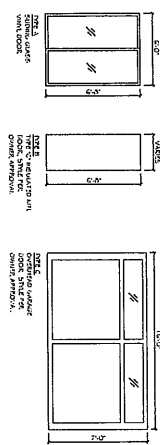
WALL SECTION
1" = 1'-0"



WALL SECTION
1" = 1'-0"

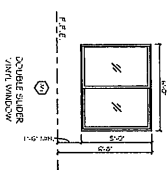
ROOM FINISH SCHEDULE									
Room #	Room Name	Room Type	Room Code	Room Notes	Room Finish	Room Material	Room Color	Room Comments	Room Date
101	101-101	101-101	101-101	101-101	101-101	101-101	101-101	101-101	101-101

DOOR SCHEDULE									
Door #	Door Name	Door Type	Door Code	Door Notes	Door Finish	Door Material	Door Color	Door Comments	Door Date
102	102-102	102-102	102-102	102-102	102-102	102-102	102-102	102-102	102-102



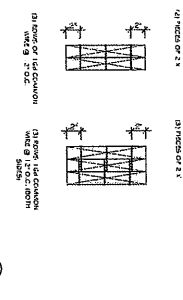
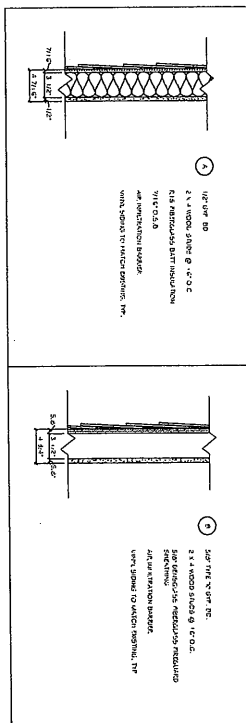
DOOR TYPES
1/4" = 1'-0"

WINDOW SCHEDULE									
Window #	Window Name	Window Type	Window Code	Window Notes	Window Finish	Window Material	Window Color	Window Comments	Window Date
103	103-103	103-103	103-103	103-103	103-103	103-103	103-103	103-103	103-103



WINDOW TYPES
1/4" = 1'-0"

PARTITION SCHEDULE									
Partition #	Partition Name	Partition Type	Partition Code	Partition Notes	Partition Finish	Partition Material	Partition Color	Partition Comments	Partition Date
104	104-104	104-104	104-104	104-104	104-104	104-104	104-104	104-104	104-104

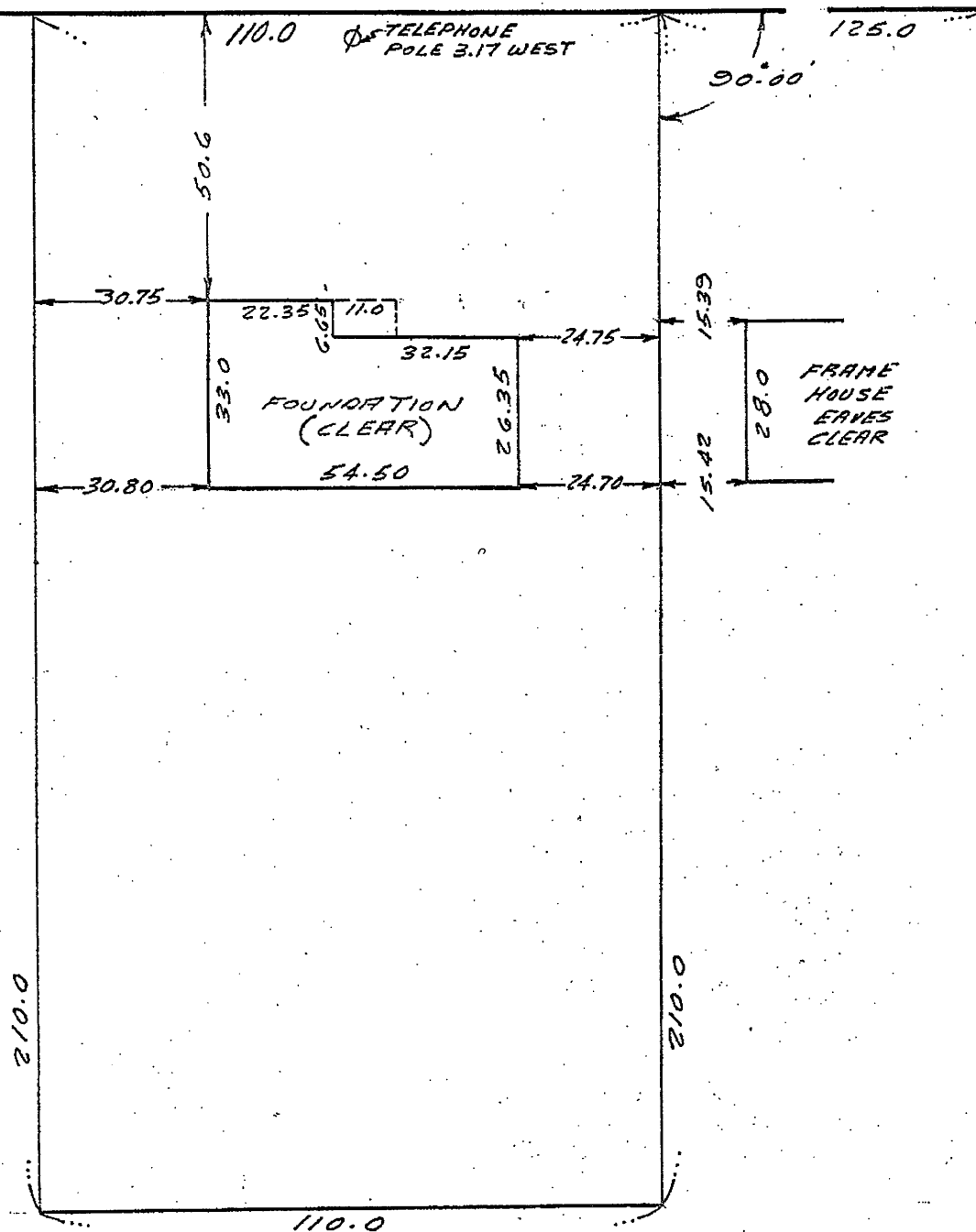


BEAM TYPES
1 1/2" = 1'-0"

THOMPSON

WIDE

R.R.



SINCE 8/1/64
 KREHBIEL-HUFFCUT-WALTERS-GUAY
 SURVEYORS
 LICENSE NOS. 21606, 31085, 27418, 31731
 1868 NIAGARA FALLS BOULEVARD
 TONAWANDA, NEW YORK 14152

LOCATION TOWN of CLARENCE		BEING SUBLot 7		MIC 2195	
SURVEY		RESURVEYED		KREHBIEL & KREHBIEL CIVIL ENGINEERS TONAWANDA, N. Y. PHONE 693-9300 LICENSE NOS. 21606, 27418, 31731, 31985	
HOUSE LOC. JULY 23, 1965 JD		REVISED 10-26-65			
SCALE 1" = 30 FT.					
JOB. No 43545		F.B. 167-11			

Carolyn Delgato

*mailed to ZBA members
w/ packet 9-29-17*

From: gake33@aol.com
Sent: Wednesday, September 27, 2017 7:27 PM
To: Carolyn Delgato
Subject: Requested variance for 4910 Thompson Rd

Carolyn,

We are writing in response to the variance that is being requested for 4910 Thompson Rd. We are currently in Atlanta GA at the Shepherd Center. My husband is in this rehabilitation facility for a spinal cord injury suffered in an accident in May.

We do not agree to the proposed construction for a two car detached garage at the previously mentioned address. We feel that the size of this structure as well as its proximity to our property line will severely decrease our property value.

We bought our land and built our home in 1994 because of the spacious appeal provided by our neighborhood. This structure is more than twice the allowable square footage according to the Clarence building codes. We use our back yard for entertaining and personal enjoyment. This structure will severely inhibit the sight lines we have come to enjoy. The proposed structure also does not fit in with the current dynamics of the neighborhood. We are also concerned with an increase in noise level as well as exhaust fumes being closer to our home.

David and Annette are wonderful people and neighbors, but we vehemently disagree with the building of this 2 car detached garage.

As we are out of town, would it be possible to be conference in via telephone for the October 10th meeting?

Sincerely,

Joseph & Victoria Gawlak
4920 Thompson Rd.

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Rec'd. by: Jonathan Bleuer

Date September 27, 2017

Action Desired Applicant requests a variance of 155' to allow a 200'
front yard setback for the construction of a single-family home
located at 10655 Stage Road in the Agricultural-Rural Residential
zone.

Reason Town Code Reference:

§229-41(A) *established front yard setback of 45'

PLEASE PRINT

Name	Michael Wolter		
Address	9300 Hunt Club Ln		
	Clarence	NY	14031
Town/City		State	Zip
Phone	716-462-1624		
Signed	SIGNATURE ON FILE		

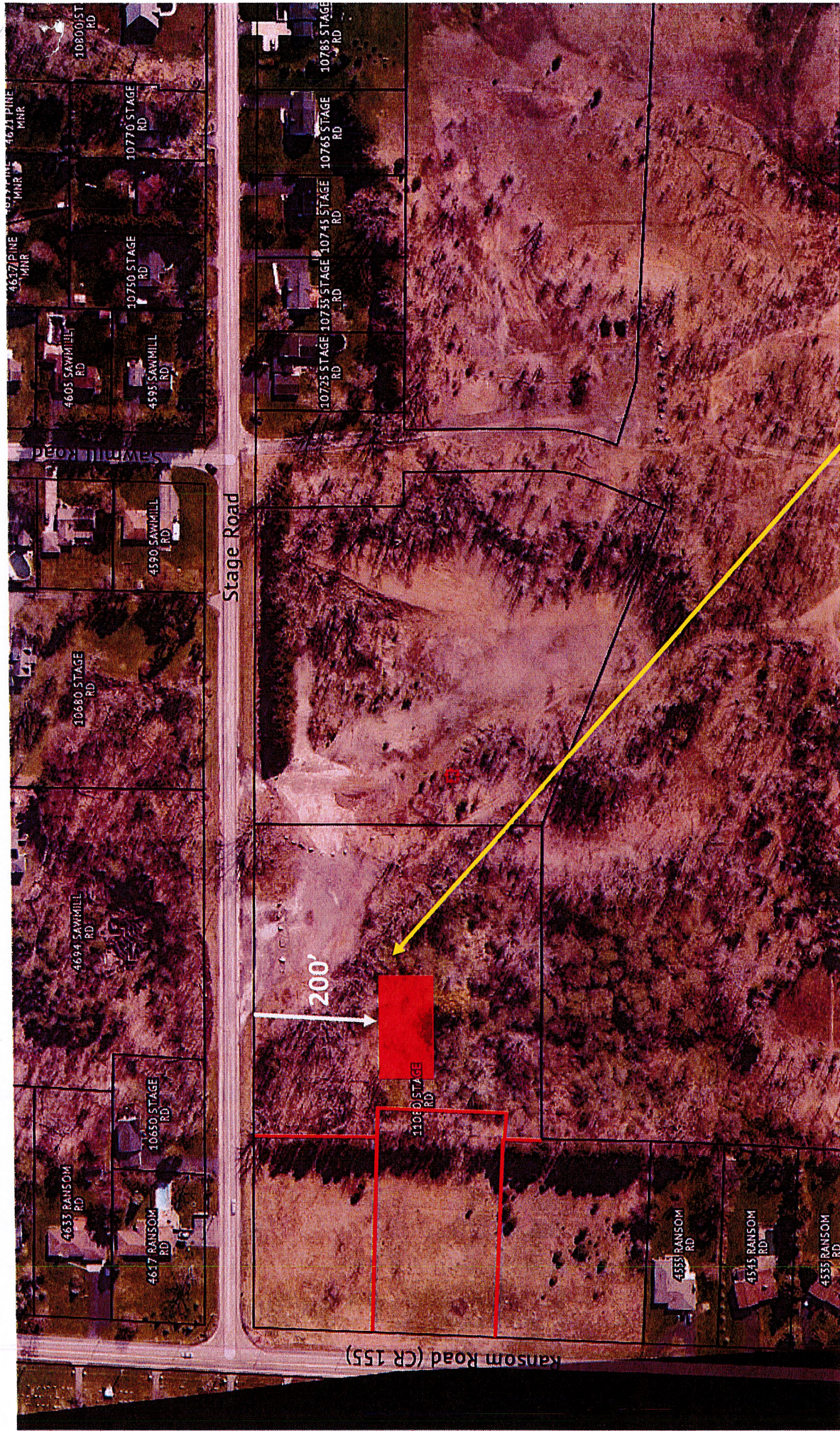
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10655 Stage Road



Proposed 200' front yard setback for new home
(established front yard setback line of 45')

N

PART OF LOT 6 SEC 1
TWP. 12 RGE. 6
VILLAGE OF _____
TOWN OF CLARENCE
COUNTY OF ERIE N.Y.